EXHIBIT A

Stay the Course West Virginia PAC Organization & IRS Filings

STAY THE COURSE WEST VIRGINIA
846 Saunders Street
St. Albans, West Virginia 25177

April 3, 2012

Via Hand-Delivery

Natalie E. Tennant
West Virginia Secretary of State
1900 Kanawha Boulevard East
Building 1 Suite 157K
Charleston WV 25305

Re: Statement of Organization

Dear Secretary Tennant:

Please find enclosed Form F-4, Statement of Organization for Stay The Course West Virginia Political Action Committee. This unaffiliated committee intends to raise funds and make independent expenditures. This committee will not use those funds to make contributions, whether direct, in-kind, or via coordinated communications, to any candidates or committees.

Very truly yours,

David Bailey

David Bailey, Treasurer

State of West Virginia
POLITICAL ACTION COMMITTEE OR POLITICAL PARTY EXECUTIVE COMMITTEE
Statement of Organization

A Statement of Organization must be filed at least 28 days before the election in which the Political Action Committee or Executive Committee will be active and before the committee receives or spends any money.

☑ Original Form or ☐ Amended Form

2012 APR -3 PM 2:53

Committee Name: Stay The Course West Virginia

Committee Chairperson: David Bailey

Mailing Address: 846 Saunders Street, St. Albans, West Virginia 25177

Email Address: 1gypsy@suddenlink.net

Daytime Phone Number: ( ) (304) 759-5328

Committee Treasurer: David Bailey

Mailing Address: 846 Saunders Street, St. Albans, West Virginia 25177

Email Address: 1gypsy@suddenlink.net

Daytime Phone Number: ( ) (304) 759-5328 County of Residence: Kanawha

Affiliate Organization: ______

Type of Affiliation: (Check One)

- ☐ Membership Organization
- ☐ Corporate PAC
- ☑ Unaffiliated PAC or Executive Committee

The committee will influence:

- ☑ Statewide, legislative or multi-county districts
- ☐ County district
- ☐ Municipal election

☐ Check here to enroll your committee in the **Campaign Finance Reporting System** which will allow you to file the committee's finances via an internet service provided by the Secretary of State. This service is only available for committees that file with the Secretary of State.

The people listed on this form have agreed to serve as chairperson and treasurer of this committee. The treasurer acknowledges that he or she is personally responsible for filing the statutorily required campaign finance reports until a Change of Treasurer notice (Form F-5) is submitted to the office that receives this form, or until the committee files a Notice of Dissolution (Form F-6). This document will serve as the oath for all electronically filed reports associated with the above listed campaign, if applicable.

David Bailey
Chairperson's signature

Date 3 April 12

David Bailey
Treasurer's signature

Date 3 April 12

Published by:
The Office of the Secretary of State
Natalie E. Tennant
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. E
Charleston, WV 25305
1-866-SOS-VOTE
E-mail: elections@wvsos.com
Internet: www.wvsos.com

OFFICIAL FORM F-4
REVISED 6/09

Form **8871**
(Rev. July 2003)
Department of the Treasury
Internal Revenue Service

Political Organization
Notice of Section 527 Status

OMB No. 1545-1693

Part I General Information

1 Name of organization
Stay The Course West Virginia

Employer identification number
45 - 4941259

2 Mailing address (P.O. box or number, street, and room or suite number)
846 Saunders Street

City or town, state, and ZIP code
Saint Albans, WV 25177

3 Check applicable box: ✓ **Initial notice** __ **Amended notice** __ **Final notice**

4a Date established
04/03/2012

4b Date of material change

5 E-mail address of organization
1gypsy@suddenlink.net

6a Name of custodian of records
David Bailey

6b Custodian's address
846 Saunders Street
Saint Albans, WV 25177

7a Name of contact person
David Bailey

7b Contact person's address
846 Saunders Street
Saint Albans, WV 25177

8 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number
846 Saunders Street

City or town, state, and ZIP code
Saint Albans, WV 25177

9a Election authority

NONE

9b Election authority identification number

Part II Notification of Claim of Exemption From Filing Certain Forms (see instructions)

10a Is this organization claiming exemption from filing Form 8872, Political Organization Report of Contributions and Expenditures, as a qualified state or local political organization? Yes ✓ **No** __

10b If 'Yes,' list the state where the organization files reports: WV

11 Is this organization claiming exemption from filing Form 990 (or 990-EZ), Return of Organization Exempt from Income Tax, as a caucus or associations of state or local officials? Yes __ **No** ✓

Part III Purpose

12 Describe the purpose of the organization

This unaffiliated committee intends to raise funds and make independent expenditures. This committee will not use those funds to make contributions, whether direct, in-kind, or via coordinated communications, to any candidates or committees.

Part IV List of All Related Entities (see instructions)

13 Check if the organization has no related entities ✓

14a Name of related entity	14b Relationship	14c Address

Part V List of All Officers, Directors, and Highly Compensated Employees (see instructions)

15a Name	15b Title	15c Address
David Bailey	Treasurer	846 Saunders Street Saint Albans, WV 25177
David Bailey	Chairman	846 Saunders Street Saint Albans, WV 25177

Under penalties of perjury, I declare that the organization named in Part I is to be treated as a tax-exempt organization described in section 527 of the Internal Revenue Code, and that I have examined this notice, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that I am the official authorized to sign this report, and I am signing by entering my name below.

Sign Here

David Bailey [signature: David Bailey]
Name of authorized official

04/03/2012 [handwritten: 3 April 12]
Date

Form **8453-X**
(Rev. July 2003)
Department of the Treasury
Internal Revenue Service

Political Organization Declaration for Electronic Filing of Notice of Section 527 Status

OMB No. 1545-1693

1 Name of organization Stay The Course West Virginia	**Employer identification number** 45 - 4941259
2 Mailing address (P.O. box or number, street, and room or suite number) 846 Saunders Street	
City or town, state, and ZIP code Saint Albans, WV 25177	
3 Confirmation number 9607012	
4a Date Form 8871 filed April 3, 2012	**4b Time Form 8871 filed** 2:34 PM

Part II Declaration

Sign Here

Under penalties of perjury, I declare that the organization named in Part I is to be treated an a tax-exempt organization described in section 527 of the Internal Revenue Code, that it has filed the electronic Form 8871 referenced above, and that I have examined that notice, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

▶ Signature of authorized official ▶ 3 April 12 Date

Instructions

After electronically submitting Form 8871, an authorized official must sign, date, and send Form 8453-X to:

Internal Revenue Service
Ogden, UT 84201

Upon receipt of this form, the Internal Revenue Service will send the organization a username and password that must be used to file amended Form 8881 or to electronically file **Form 8872,** Political Organization Report of Contributions and Expenditures.

EXHIBIT B

David Bailey Affidavit

AFFIDAVIT

1. My name is David Bailey. I am a lifelong West Virginia resident and have lived in Kanawha County for 20 years. I am a registered voter. I am not a federal or state government employee, nor am I affiliated in any way with any candidate or any candidate's committee or agent for any candidate running for public office during the 2012 primary or general election; nor am I affiliated in any way with any political party committee or political action committee other than Stay the Course West Virginia.

2. I formed Stay the Course West Virginia as an unaffiliated political action committee by filing a Statement of Organization with the West Virginia Secretary of State on April 3, 2012, when I also filed a Form 8871 with the United States Treasury, Internal Revenue Service.

3. Stay the Course West Virginia is an independent expenditure political action committee. It is not affiliated in any way with any candidate running for public office during the 2012 primary or general election; nor is it affiliated in any way with any candidate's committee, agent, or representative, political party committee, other political action committee, corporation or other business entity, or membership organization.

4. The purpose of Stay the Course West Virginia is to raise funds solely through contributions, and spend this money to purchase various kinds of advertising in different media markets, and perhaps spend some money on campaign events and get-out-the vote efforts, in order to support one or more incumbent West Virginia state government officeholders who have contributed to improving the West Virginia business climate and strengthening the West Virginia economy such that our state government finances are in "good shape," and the West Virginia unemployment rate is below the national average; and to spend money raised by Stay the Course West Virginia to oppose the challenger(s) of the incumbent officeholders supported by Stay the Course West Virginia. A professional political consultant and small staff will also be hired.

5. Decisions regarding the expenditure of contributions to Stay the Course West Virginia will be made by me in consultation with other members of the committee. All

expenditures of all contributions made to Stay the Course West Virginia will be made without consultation or coordination with, or at the request or suggestion of any candidate supported by Stay the Course West Virginia, and without consultation or coordination with, or at the request or suggestion of said candidate's committee, representative, or agent.

6. All of the contributions to Stay the Course West Virginia will be disclosed and made available to the public on the forms provided by the West Virginia Secretary of State and in accordance with all requirements set forth in the West Virginia Election Code and West Virginia legislative rules applicable to election law campaign finances. Stay the Course West Virginia will also timely file all forms required by the U.S. Treasury, Internal Revenue Service.

7. I am ready, willing, able, and wish to solicit and receive contributions in any amount from corporations and contributions in excess of $1,000 from natural individuals, but have not solicited or accepted any such contributions because I understand that to do so is a violation of the law and may result in criminal penalties imposed against me and/or contributors to Stay the Course West Virginia.

FURTHER THE AFFIANT SAYETH NAUGHT.

DATE: April 25, 2012

David Bailey
David Bailey

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, to-wit:

Taken, subscribed and sworn to before me by David Bailey this 26th day of April, 2012.

My commission expires August 20, 2017.

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
DEBORAH L. HILL
13612 VENABLE AVENUE
CHESAPEAKE, WV 25315
My commission expires August 20, 2017

Deborah L. Hill
Notary Public

EXHIBIT C

Everett Hannah Affidavit

AFFIDAVIT

1. My name is Everett Hannah. I live in Mingo County, West Virginia. I am a lifelong West Virginia resident and a registered voter.

2. I am the President of Pineville Lumber, Inc., a West Virginia corporation I formed in 1994. The principal place of business for Pineville Lumber is located on Route 52, Varney (Mingo County), West Virginia.

3. I understand that Stay the Course West Virginia is an independent expenditure political action committee, which is not affiliated with any candidate running for public office in 2012, candidate's committee or agent or representative, political party committee, other political action committee, corporation or other business entity, or membership organization.

4. I understand that the purpose of Stay the Course West Virginia is to support during the 2012 election one or more incumbent West Virginia state government officeholders who have contributed to improving the West Virginia business climate and strengthening the West Virginia economy and state government finances.

5. I understand that all decisions regarding the candidates that will be supported by Stay the Course West Virginia and how Stay the Course West Virginia will spend its money will be made by David Bailey in consultation with other members of the committee, without any input from any of the candidates supported by Stay the Course West Virginia, and without consultation or coordination with, or at the request or suggestion of any candidate's committee, representative, or agent.

6. Pineville Lumber is ready, willing, able, and wishes to contribute $5,000 to Stay the Course West Virginia, but has not made this contribution because to do so is a violation of the law and may result in criminal penalties imposed against Pineville Lumber.

FURTHER THE AFFIANT SAYETH NAUGHT.

DATE: April 25, 2012

Everett Hannah

STATE OF WEST VIRGINIA,

COUNTY OF Kanawha, to-wit:

Taken, subscribed and sworn to before me by Everett Hannah this 26th day of April, 2012.

My commission expires August 20, 2017.

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
DEBORAH L. HILL
13612 VENABLE AVENUE
CHESAPEAKE, WV 25315
My commission expires August 20, 2017

Deborah L. Hill
Notary Public

EXHIBIT D

Thomas Stephen Bailey Affidavit

AFFIDAVIT

1. My name is Thomas Stephen Bailey. I am a lifelong resident of Kanawha County and a registered voter.

2. I understand that Stay the Course West Virginia is a political action committee that is not associated with any business, organization, candidate, candidate's campaign committee, or political party committee.

3. I am ready, willing, able, and wish to contribute $1,200 to Stay the Course West Virginia, but have not made this contribution because I understand that any contribution in excess of $1,000 is against the law.

4. It is my understanding that Stay the Course West Virginia will spend my contribution to support one or more incumbent public officials who have, through their public service in elected office, contributed to improving the West Virginia business climate and economy.

FURTHER, THE AFFIANT SAYETH NAUGHT.

DATE: April 23, 2012

[signature]
Thomas Stephen Bailey

STATE OF WEST VIRGINIA,
COUNTY OF Kanawha, to-wit:

Taken, subscribed and sworn to before me this 25th day of April, 2012.

My commission expires August 20, 2017.

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
DEBORAH L. HILL
13612 VENABLE AVENUE
CHESAPEAKE, WV 25315
My commission expires August 20, 2017

Deborah L. Hill
Notary Public

EXHIBIT E

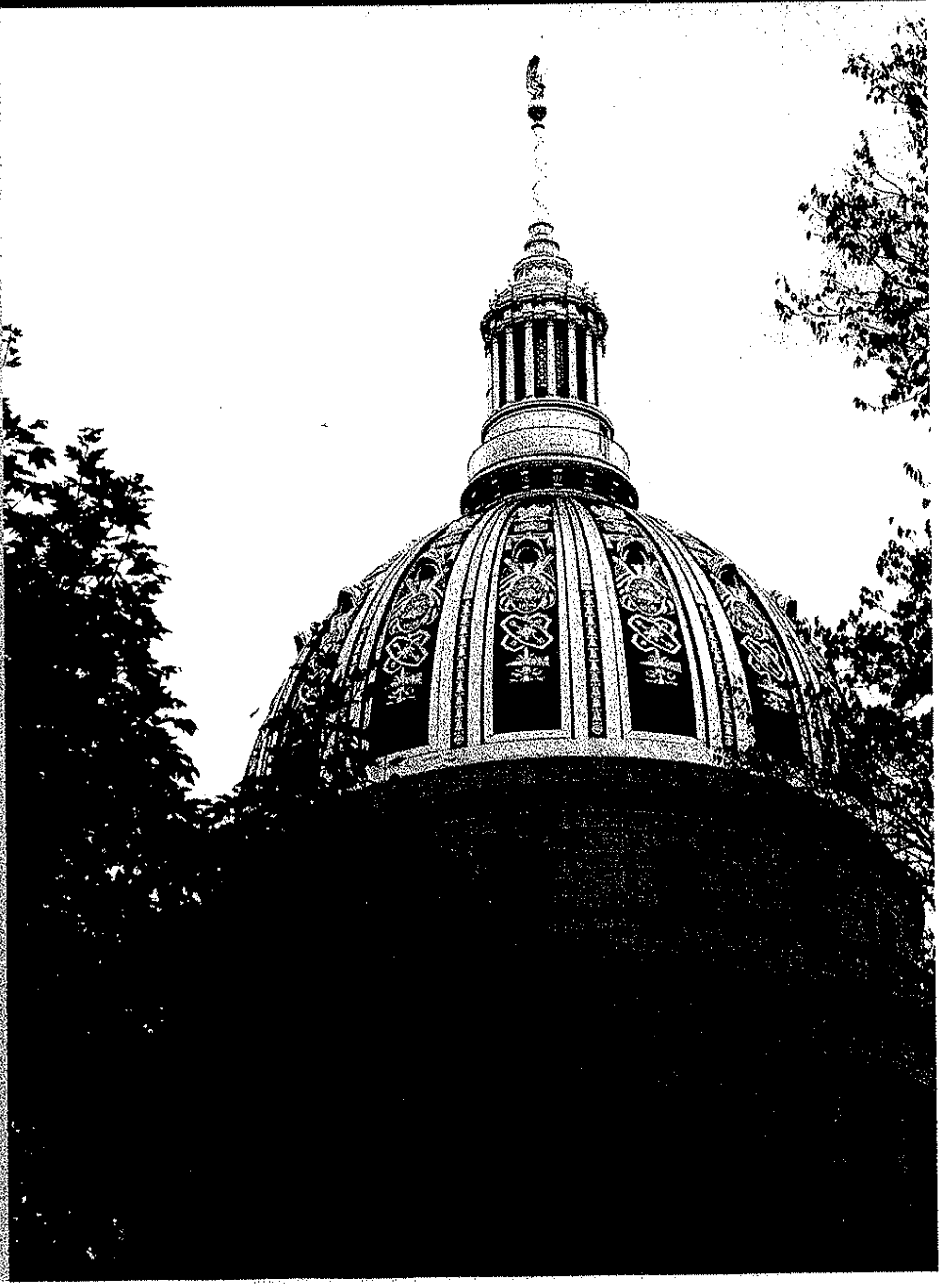
Running for Office in West Virginia (2012)

WV Secretary of State

RUNNING FOR OFFICE IN WEST VIRGINIA

Natalie E. Tennant
Secretary of State

2012



Dear Friend:

As the Chief Election Officer of West Virginia it is my responsibility, along with the State Election Commission, to provide citizens with information about running for public office. Running for office is a commendable decision. The Office of the Secretary of State is pleased to provide you with the _2012 Running for Office in West Virginia_ guide.

Inside this publication you will find practical information regarding the start of your campaign, filing for office and tracking the financial activity of your campaign. If the information you need is not addressed in this guide please contact a member of our elections division at 1-866-SOS-VOTE (1-866-767-8683) or elections@wvsos.com.

Thank you for wanting to serve West Virginia.

Sincerely,

Natalie E Tennant

Natalie E. Tennant
Secretary of State

RUNNING FOR OFFICE IN WEST VIRGINIA - 2012

Primary Election – May 8
(Second Tuesday in May)

General Election – November 6
(Tuesday following first Monday in November)

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Please note that the information in this publication was verified as of the date of publication. Any changes occurring after that date will not be reflected in this publication. If you have questions concerning any of this information, please call the West Virginia Secretary of State's Office at 1-304-558-6000, or toll-free at 1-866-SOS-VOTE (1-866-767-8683). You can also visit our website at www.wvsos.com.

All citations in this document are to the W.Va. Constitution, W.Va. State Code, W.Va. CSR or appropriate Federal law.

Cover photograph by Bradley Harris

POLITICAL CONTRIBUTIONS

ACCEPTABLE CONTRIBUTION TYPES

Political committees are restricted to the types of contributions they may give and receive. The capacity to give or receive a contribution is dependent on the type of committee established. Below you will find a list of possible contribution types and if the contributions are acceptable to the committee.

Contribution Type:	Allowable from Committee?	Contribution Limit	Allowable from Excess Funds?	Contribution Limit
State Candidate to State Candidate	No	N/A	Yes	$1,000
State Candidate to PAC	No	N/A	Yes	$1,000
State Candidate to Executive Committee	Yes	$1,000	Yes	$15,000
State Candidate to Inaugural Committee	No	N/A	No	N/A
State Candidate to §527	No	N/A	No	N/A
State Candidate to Federal Committee	No	N/A	Yes	Call FEC
State PAC to State Candidate	Yes	$1,000	Yes	$1,000
State PAC to State PAC	No	N/A	Yes	$1,000
State PAC to Executive Committee	Yes	$1,000	Yes	$15,000
State PAC to Federal Committee	No	N/A	Yes	Call FEC
State PAC to Inaugural Committee	No	N/A	No	N/A
State PAC to a §527	No	N/A	No	N/A
Executive Committee to State Candidate	Yes	$1,000	N/A	N/A
Executive Committee to PAC	No	N/A	N/A	N/A
Executive Committee to Executive Committee	Yes	$1,000	N/A	N/A
Executive Committee to Inaugural Committee	No	N/A	N/A	N/A
Executive Committee to Federal Committee	No	N/A	N/A	N/A
Federal Committee to State Candidate	Yes	$1,000	N/A	N/A
Federal Committee to Executive Committee	Yes	$1,000	N/A	N/A
Federal PAC to State Affiliate PAC	Yes	$1,000	N/A	N/A
Federal PAC to Any Other PAC	No	N/A	N/A	N/A
Corporation to State Candidate	No	N/A	N/A	N/A
Corporation to State PAC	No	N/A	N/A	N/A
Corporation to Executive Committee	No	N/A	N/A	N/A
Corporation to an Inaugural Committee	Yes	$5,000	N/A	N/A

POLITICAL ACTION COMMITTEES

Corporate political activity forbidden.
"(a) An officer, agent or person acting on behalf of any corporation, whether incorporated under the laws of this or any other state or of a foreign country, may not pay, give, lend or authorize to be paid, any money or other thing of value belonging to the corporation to any candidate or candidate's campaign for nomination or election to any statewide office or any other elective office in the state or any of its subdivisions.
"(b) A person may not solicit or receive any payment, contribution or other thing from any corporation or from any officer, agent or other person acting on behalf of the corporation to any candidate or candidate's campaign for nomination or election to any statewide office or any other elective office in the state or any of its subdivisions." (W.Va. State Code §§3-8-8(a) and (b))

CORPORATE PACS (W.Va. State Code §3-8-8 and W.Va. CSR §146-1)

Although corporate political activity is not permitted, a corporation may set up a "separate segregated fund" to solicit funds for political activity. This fund would be considered the Corporate PAC of the affiliate corporation. This type of committee will be regulated by the same reporting deadlines and disclosure requirements as any other PAC. However this corporate PAC does have certain contribution solicitation rules to abide by in addition to the regulations of a non-corporate PAC.

It is unlawful for...

- A corporate PAC to receive a contribution from any person other than "*its stockholders and their immediate families and its executive or administrative personnel and their immediate families.*" The corporations' restricted group is defined further in W.Va. CSR §146-1.
- A corporation to give money or anything of value belonging to the corporation to the corporation's PAC unless described in W.Va. CSR §146-1-4.4.
- Funds to the PAC to be solicited by the threat of job discrimination, financial reprisal or physical force or using funds gained by a commercial transaction.
- Any person soliciting a contribution at the time of the solicitation to fail to inform those being solicited of their right not to contribute without reprisal.
- A contribution guideline to be enforced by direct or indirect means. A guideline may be suggested.
- The person soliciting the funds to fail to tell the person solicited what the political purposes of the PAC are at the time of the solicitation.

A corporation may utilize a payroll deduction plan, check-off system or other plan that deducts contributions from dividend or payroll checks for contributions to the committee.

INDEPENDENT EXPENDITURES

Independent expenditure means an expenditure made by a person other than a candidate or a candidate's committee in support of or opposition to the nomination or election of one or more clearly identified candidates and without consultation or coordination with or at the request or suggestion of the candidate whose nomination or election the expenditure supports or opposes or the candidate's agent. Supporting or opposing the election of a clearly identified candidate includes supporting or opposing the candidates of a political party. An expenditure which does not meet the criteria for an independent expenditure is considered a contribution. (W.Va. State Code §3-8-1a(15))

Any individual, PAC or executive committee may make an "independent expenditure" in an attempt to influence the election or defeat of a candidate for office. This expenditure must be made without the consultation or coordination of the candidate or candidate's committee to be considered independent. If the expenditure is made in consultation or coordination with the candidate or candidate's committee, the expenditure will be considered an in-kind contribution to the candidate's committee and will be limited to the $1,000 contribution limits.

There is no limit on the amount of funds that can be spent on independent expenditures. However, there is an additional reporting requirement for these expenditures. Any individual making independent expenditures must follow the reporting dates set by W.Va. State Code §3-8-5, just as a candidate or political committee would.

In addition to reports due during regular reporting periods, any individual or organization who makes an independent expenditure of $1,000 or more in multi-county races or $500 or more in single county races within 15 days to 12 hours prior to an election must provide an itemized report of these expenditures within 24 hours to the Secretary of State. This report may be hand delivered, faxed or emailed to ensure timely delivery. If the report is sent via fax, be sure to contact the Secretary of State's Office to verify delivery of the document(s).

All independent expenditures must have a "clear and conspicuous public notice" identifying the person who paid for the expenditure and that it had not been authorized by any candidate or candidate's committee.

All independent expenditure reports will be posted on the Secretary of State's website at www.wvsos.com.

EXHIBIT F

Pages from WV Secretary of State's Internet Website

Contributions

Pages Regarding Campaign Finance

General Instructions **Contributions** Loans Expenditures Closing a Campaign

This is a first of a five-part summary of campaign activity and reporting requirements in West Virginia. Use the bar above to view the pages on contributions, loans, expenditures, and closing a campaign. Use the links below for topics on this page.

Go To A Location On This Page

Basic Rules
Anonymous Contributions
Corporate Contributions
Membership Organizations
Fundraisers
In-Kind Contributions
Other Receipts

Basic Rules for Contributions

A contribution is money or any thing of value received by a candidate or committee for the purpose of advocating or opposing the election or defeat of any candidate.

What must be reported?

1. You must report the full name of the person or group that contributed money and the amount. All money must be reported.
2. When a contribution comes in the form of a check drawn on a joint account, the person signing the check is the contributor, unless the parties specifically tell you otherwise.
3. If the contribution is more than $50.00 ($50.01 and up), the contribution cannot be cash. The contribution may be made by check, money order, credit card, or electronic fund transfer. You cannot accept foreign currency.
4. If contributions received from an individual or committee relating to an election total more than $250.00 ($250.01 and up), you must also report the residence or mailing address of the individual or committee.
5. If the contributor is a person, you must also report what the contributor does to earn a living (occupation) and the individual's primary employer or business association, such as a company the contributor owns (business affiliation).
6. If the contributor is a committee, you must report the committee's affiliation (the group with which the committee is associated, such as the corporation connected to a corporate PAC).

Contribution Limits

The maximum contribution allowed to any campaign for nomination or election to any office is $1,000.00 ($1,000.00 for the primary election and $1,000.00 for the general election). However, a candidate may contribute any amount to his or her individual campaign committee.

The maximum allowed contribution to any political action committee which supports or opposes candidates is $1,000 for the primary election and $1,000 for the general election. Committees which support or oppose only ballot issues are not subject to the contribution limits.

Please Note: Non-federal candidates running for office in West Virginia cannot accept contributions from an IRS 527 organization.

Candidates Contribution

If a candidate spends his or her own money in the campaign, that amount must be treated either as a contribution or a loan. If the money is listed as a contribution, that money cannot be returned. If a candidate hopes to recover part of the money at the end of the campaign, a loan must be executed in writing and reported under the loan section. Without a completed loan agreement, the candidate's money is a contribution. For more information, go to Loans.

After the Campaign

A candidate may not accept more contributions after all the bills and loans are paid. For example, a candidate in 2000 can't use his or her 2000 committee to continue fundraising for a future election.

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Anonymous Contributions

1. If you can identify the donor (such as money accompanied by a request to keep the donor's identity private), you must either report the donor's identity or return the contribution to the donor.
2. If you cannot identify the donor, you must turn the money over to the State of West Virginia General Fund. Send an amount equal to the total of the anonymous contribution(s) for the reporting period to the State of West Virginia General Fund, c/o Secretary of State, Bldg. 1, Suite 157-K, 1900 Kanawha Blvd. East, Charleston, WV 25305-0770.
3. On your campaign finance report, list each anonymous contribution and the amount and date on the contributions section of the report. Then, list the amount you sent from your campaign to the State of West Virginia General Fund in the expenditures section of the report.
4. DO NOT SPEND ANONYMOUS CONTRIBUTIONS FOR YOUR CAMPAIGN.

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Corporate Contributions and Corporate PAC's

1. Corporations may not make direct political contributions, either of money or in-kind support, to candidates or other political action committees, and may not make direct expenditures to support or oppose candidates.

2. Corporations may set up a separate, segregated fund called a Political Action Committee (PAC) which may solicit political contributions only from officers, directors, stockholders, and administrative personnel. These PACs may contribute to candidates and/or issues. The corporation may provide only administrative support to the PAC.

3. Committees which support or oppose only ballot issues may receive corporate contributions.

4. The only exceptions are the following organizations which ARE PERMITTED to donate in certain limited amounts to candidates. Each of the following organizations may contribute to a candidate at a limit of $1,000 per partner and per election. Contributions from the organization to candidates must be equally distrubuted among the partners, and all partners must be individually listed on the financial report. Once these partners have contributed through one of the organizations listed below, their contribution is accumatively added to their overall $1,000 limit per candidate, per election (Their personal and partnership contributions must accumatively be less than $1,000 overall for one candidate).

    1. Sole Proprietorship
    2. Partnership
    3. LLC

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Membership Organizations

1. Some political action committees may be considered "membership organizations" under state law. A membership organization is a group that grants certain rights and privileges to its members, such as the right to vote or hold an office within that organization, or uses a majority of its membership dues for purposes other than political purposes.
2. Contributions to membership organizations often take the form of payroll deductions. If the deduction (or portion of dues) which goes to the PAC or is used for political purposes equals $25.00 or less per member during a calendar year, it can be reported by showing the amount each member paid and the number of members. For example, if the payroll deduction is $3.00 per calendar year for 25 employees, it would be listed as: "25 employees @ $3.00 each = $75.00".
3. If the payroll deductions or dues exceed $25.00 per member, the contributions are reported individually, the same as any other contribution. Also, if members make contributions independent of a payroll deduction or other assessment, the contribution must be listed like any other type of contribution.

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Fundraisers

A fund-raising event is "an event such as a dinner, reception, testimonial, cocktail party, auction or similar affair through which contributions are solicited or received by such means as purchase of a ticket, payment of an attendance fee or through the purchase of goods or services." (WV Code §3-8-5b). This definition also covers sales of food at bake sales or fair booths, memorabilia, T-shirts, buttons, and other items.

About Raffles

Although raffles are commonly thought of as fundraisers, candidates are prohibited by WV Code §47-21-2 from holding raffles. Other organizations must have a license to conduct raffles, but among political organizations, only political party executive committees are eligible to obtain a license.

Don't Pass the Hat!

"Passing the hat" at meet-the-candidate dinners or other types of fundraisers usually brings in money anonymously. If the contributor can't be identified, the money will have to be turned over to the state.

How to report a Fundraising Event

1. Fill out the event summary. The information in the event summary is required by law. (WV Code §3- 8-5a).
2. List the date of the event, the type of event (reception, dinner, etc.), place, address.
3. After the contributions and expenditures are completed, enter the total contributions and total expenditures. To get the net receipt, subtract total expenditures from total receipts.
4. List all contributors' names and amounts received through the fundraiser. If a contribution is more than $250.00, or if that person or committee's total contributions to the candidate or committee for the election are more than $250.00, you must also list the contributor's address, and in the case of a person, what that person does to earn a living (occupation), and where that person works (business affiliation). For a committee, list the organization, business, union or other group with which it is affiliated. Contributions of more than $50.00 cannot be cash. The contribution may be made by check, money order, credit card, or electronic fund transfer. Foreign currency cannot be used.
5. If a person or political action committee contributes things of value such as food, entertainment, or other non-cash items for use in putting on the fundraiser, be sure to report those as in-kind contributions in that section. See In-Kind Contributions for more information.
6. List all itemized expenses (such as invitations, food, hall rentals) relating to any fund-raising event in the expenditure section. Only the total expenditures will be entered in the fundraiser section.
7. The total contributions received at all fundraising events will appear on the report summary.

Exceptions

In 1994, the West Virginia Legislature passed a law that would allow political party executive committees to hold certain fundraisers without necessarily reporting individual contributions of monies received at those fundraisers. Only fundraisers that involve the sale of food, beverages, services, novelty items, raffle tickets, or memorabilia may take advantage of this exception, as long as the total profits from such fundraisers do not exceed $5,000 in a calendar year. The names of individuals who spend less than $50.00 a year do not need to be reported. Organizations that hold fundraisers need not report itemized contributions if the total profit is less than $5,000. If individuals or organizations make purchases of more than $50.00, or if the total profits from all such fundraisers exceed $5,000, the normal reporting requirements apply, and all names of all contributors and the amount they contributed must be reported. THIS EXCEPTION APPLIES ONLY TO POLITICAL PARTY EXECUTIVE COMMITTEES.

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In-Kind Contributions

Contributions of things of value must be reported as in-kind contributions. Some examples include:
Use of a car, an office or building; services of an employee who is paid by another person.
Use of office equipment or telephones for campaign purposes.
Material for campaign signs.
Food for a fund-raising reception.

How to report In-Kind Contributions

1. List the name of the contributor and the date the item was donated. Assign a reasonable value to the contribution.
2. If a person donates more than $250.00, remember to include the address, what the donor does for a living, and the place where the donor works.
3. If a committee donates more than $250.00, include the committee's address and its affiliation. The affiliation is the group with whom it is associated.
4. Remember that the $1,000.00 donation limit applies also to in-kind contributions, and one donor's cash plus in-kind contributions are subject to the limit.

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Other Receipts

Receipts which are not contributions must also be reported. These include refunds on bills paid, interest on investments, checking accounts or savings accounts, sale of equipment, or any income not reported in contributions or in-kind contributions.

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